

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:

VITAMINS ANTITRUST LITIGATION

This Document Relates to:
All Actions

M.D.L. No. 1285

Misc. No. 99-0197 (TFH)

FILED

SEP 06 2002

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

**STIPULATED ORDER CONCERNING PLAINTIFFS' OBLIGATION TO
RESPOND TO SUMMARY JUDGEMENT MOTIONS FILED BY THE
DAIICHI AND EISAI DEFENDANTS**

WHEREAS, prior to August 6, 2002, the Daiichi and Eisai defendants filed three separate motions for summary judgment regarding the scope of the conspiratorial conduct alleged in these cases;

WHEREAS, pursuant to the Court's August 7, 2002 Order, plaintiffs' responses to those motions are due on September 9, 2002;

WHEREAS, the Daiichi defendants have settled with the three plaintiffs against which their motions were directed and the Eisai defendants are in advanced stages of settlement negotiations with the only remaining plaintiffs with claims in this litigation against them;

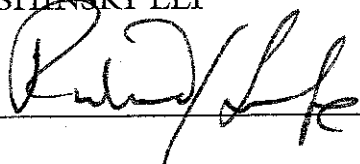
WHEREAS, the undersigned wish to avoid needless litigation over matters that they expect to be mooted by settlements;

WHEREAS, the conditions precedent to plaintiffs' filing motions of dismissal against Daiichi will not be completed by September 9, 2002 and the final Eisai settlements may not be documented by September 9, 2002.

IT IS HEREBY stipulated and agreed by the undersigned that the time for plaintiffs to respond to the motions for summary judgment of the Daiichi and Eisai defendants on the scope of the conspiratorial conduct alleged in these cases be extended from September 9, 2002 to September 30, 2002 and that, if necessary, the time for said defendants' reply briefs be extended from September 30, 2002 to October 21, 2002.

Date: September 5, 2002

DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP

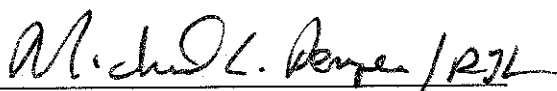


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On Behalf of Plaintiffs

Respectfully submitted,

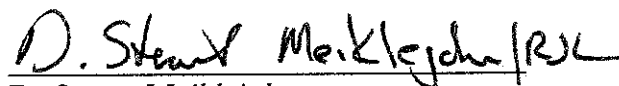
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On Behalf of the Daiichi Defendants

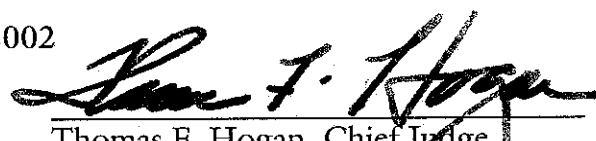
SULLIVAN & CROMWELL



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On Behalf of the Eisai Defendants.

SO ORDERED this 6 day of September, 2002



Thomas F. Hogan, Chief Judge
United States District Court